

### REMARKS

This amendment is presented in response to the Notice to File Corrected Application Papers: Notice of Allowance Mailed (hereinafter referred to as the "Notice") mailed by the Publication Branch, Office of Data Management on December 13, 2010. The Notice of Allowance was mailed for this application on October 29, 2010.

The Notice indicates that the application contains certain informalities which must be corrected. Specifically, the Notice points out that the substitute specification submitted on March 1, 2010 for this application contains a reference, on page 8, to **Figure 13C**. However, the drawings filed on April 27, 2010 for this application do not include any drawing with that designation. In response, page 8 of the specification is amended, *supra* and pursuant to 37 C.F.R. § 121(b)(1), to correct this informality. The reference to **Figure 13C** has been removed from this paragraph, and replaced with a reference to the reaction scheme in **Figure 13B**. Upon reviewing the specification, Applicants determined that page 40 contains another reference to **Figure 13C**. Accordingly, the paragraph on page 40 of the substitute specification has been likewise amended.

The foregoing amendments are limited to the correction of these informalities and do not introduce new matter. Moreover, because the Issue Fee is being transmitted concurrently with this Response, the amendment is believed to comply with the requirements of 37 C.F.R. § 1.312 for amendments after allowance. However, should the Office determine that the amendment does not comply with the requirements of 37 C.F.R. § 1.312, Applicants respectfully request that the Office of Patent Publication waive those requirements and enter the foregoing amendments pursuant to the *Official Gazette* notice: "Waiver of 37 C.F.R. 1.312 for Documents Requirement by the Office of Patent Publication," 1280 *Off. Gaz. Patent Office* 918 (March 23, 2004); *see also* M.P.E.P. § 714.16(d), Subsection III (8<sup>th</sup> Edition Revision 7, July 2008).

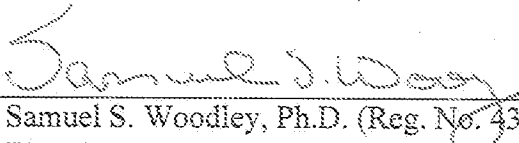
Applicant : Holmes *et al.*  
Serial No. : 10/555,860  
Filed : November 1, 2005  
Page : 4 of 4

Attorney's Docket No.: 27519-0012US1

Entry and consideration of these amendments are respectfully requested.

Respectfully submitted,

Date: January 31, 2011

  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/555,860	11/01/2005	Christopher P. Holmes	27519-0012US1	4443

36211 7590 12/13/2010  
FISH & RICHARDSON P.C. (NY)  
P.O. BOX 1022  
MINNEAPOLIS, MN 55440-1022

EXAMINER
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KOSAR, ANDREW D

ART UNIT	PAPER NUMBER
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1654

NOTIFICATION DATE	DELIVERY MODE
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12/13/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PATDOCTC@fr.com



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
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Application No. : 10555860  
Applicant : Holmes  
Filing Date : 11/01/2005  
Date Mailed : 12/13/2010

### NOTICE TO FILE CORRECTED APPLICATION PAPERS

#### *Notice of Allowance Mailed*

This application has been accorded an Allowance Date and is being prepared for issuance. The application, however, is incomplete for the reasons below.

Applicant is given 2 month(s) from the mail date of this Notice within which to respond.

The informalities requiring correction are indicated in the attachment(s). If the informality pertains to the abstract, specification (including claims) or drawings, the informality must be corrected with an amendment in compliance with 37 CFR 1.121 (or, if the application is a reissue application, 37 CFR 1.173). Such an amendment may be filed after payment of the issue fee if limited to correction of informalities noted herein. See Waiver of 37 CFR 1.312 for Documents Required by the Office of Patent Publication, 1280 Off. Gaz. Patent Office 918 (March 23, 2004). In addition, if the informality is not corrected until after payment of the issue fee, for purposes of 35 U.S.C. 154(b)(1)(iv), "all outstanding requirements" will be considered to have been satisfied when the informality has been corrected. A failure to respond within the above-identified time period will result in the application being ABANDONED. This period for reply is NOT extendable under 37 CFR 1.136(a).

See attachment(s).

*A copy of this notice MUST be returned with the reply. Please address response to  
"Mail Stop Issue Fee, Commissioner for Patents,  
P.O. Box 1450, Alexandria, VA 22313-1450".*

/Pat Pacenski/  
Publication Branch  
Office of Data Management  
(571) 272-4200

**IDENTIFICATION OF SPECIFICATION/DRAWING INCONSISTENCIES**

- ☒ On Page 8 of the specification there is a brief description of FIG. 13C, but the drawings filed 04/27/2010 do not include a drawing with that designation. Applicant must respond either by supplying the omitted drawing or by amending the specification to remove all references to that drawing.
- ☐ The drawings filed include FIG. , but the specification's brief description of the drawings does not describe a drawing with that designation. Applicant must respond either by amending the specification to add a brief description of that drawing or by correcting the drawings to remove the drawing in question.
- ☐ Drawings are present in the application and are referred to in the detailed description of the invention, but the specification does not contain a brief description of the drawings as required by 37 CFR 1.74 and 37 CFR 1.77(b)(8).
- ☐ Page of the specification refers to FIG. , but no drawing with that designation is described in the brief description of the drawings and no drawing with that designation is present in the application. Applicant must respond either by amending the specification to remove all references to that drawing, or by supplying that drawing and amending the specification to add a brief description of it.
- ☐ OTHER:
- ☐ COMMENTS: